

106TH CONGRESS  
2D SESSION

# S. 2158

To amend the Harmonized Tariff Schedule of the United States to eliminate the duty on certain steam or other vapor generating boilers used in nuclear facilities.

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## IN THE SENATE OF THE UNITED STATES

MARCH 2, 2000

Mr. MURKOWSKI (for himself, Mr. THOMPSON, and Mr. GRAMS) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Harmonized Tariff Schedule of the United States to eliminate the duty on certain steam or other vapor generating boilers used in nuclear facilities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF DUTY ON CERTAIN STEAM OR**  
4 **OTHER VAPOR GENERATING BOILERS.**

5 (a) IN GENERAL.—Chapter 84 of the Harmonized  
6 Tariff Schedule of the United States is amended by strik-  
7 ing subheading 8402.11.00 and inserting the following  
8 new subheadings and superior text thereto, with such text

1 having the same degree of indentation as the article de-  
 2 scription for subheading 8402.12.00:

“	8402.11	Watertube boilers with a steam production exceeding 45 t per hour				
“	8402.11.10	For use in nuclear facilities .....	Free		45%	
“	8402.11.20	Other .....	5.2%	Free (A, CA, E, IL, J, MX)	45%	”.

3 (b) STAGED RATE REDUCTIONS.—Any staged rate  
 4 reduction that was proclaimed by the President before the  
 5 date of the enactment of this Act, to take effect on or  
 6 after the date of the enactment of this Act, of a rate of  
 7 duty set forth in subheading 8402.11.00 of the Har-  
 8 monized Tariff Schedule of the United States shall apply  
 9 to the corresponding rate of duty in subheading  
 10 8402.11.20 of such Schedule (as added by subsection (a)).

11 (c) EFFECTIVE DATE.—

12 (1) IN GENERAL.—The amendment made by  
 13 subsection (a) applies with respect to goods entered,  
 14 or withdrawn from warehouse for consumption, on  
 15 or after the 15th day after the date of the enact-  
 16 ment of this Act.

17 (2) RETROACTIVE APPLICATION.—Notwith-  
 18 standing section 514 of the Tariff Act of 1930 or  
 19 any other provision of law and subject to paragraph  
 20 (3), any article described in subheading 8402.11.10  
 21 of the Harmonized Tariff Schedule of the United  
 22 States (as added by subsection (a)) that was en-

1       tered, or withdrawn from warehouse for  
2       consumption—

3               (A) on or after January 1, 2000, and

4               (B) before the date that is 15 days after  
5       the date of the enactment of this Act,

6       shall be liquidated or reliquidated as if such sub-  
7       heading 8402.11.10 applied to such entry or with-  
8       drawal, and the Secretary of the Treasury shall re-  
9       fund any excess duty paid with respect to such  
10      entry.

11           (3) REQUESTS.—Liquidation or reliquidation  
12      may be made under paragraph (2) with respect to  
13      any entry only if a request therefor is filed with the  
14      Customs Service, within 180 days after the date of  
15      enactment of this Act, that contains sufficient infor-  
16      mation to enable the Customs Service—

17               (A) to locate the entry; or

18               (B) to reconstruct the entry if it cannot be  
19      located.

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